

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Department of Environmental Quality v Great Lakes Properties**

Docket No. **297856**

L.C. No. **08-000281-CE**

William B. Murphy, Chief Judge, acting under MCR 7.203(F)(1), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the April 13, 2010 order is not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A). That order is not a final order under MCR 7.202(6)(a)(i) because it is not the first order disposing of all the claims and adjudicating the rights and liabilities of all the parties. Rather, the earlier consent judgment would be the final order under MCR 7.202(6)(a)(i). Further, the April 13, 2010 order is not a final order under MCR 7.202(6)(a)(iv) because it does not actually award an amount of attorney fees or costs. At this time, appellant may seek to appeal the April 13, 2010 order only by filing a delayed application for leave to appeal under MCR 7.205(F).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAY 28 2010

Date

Sandra Schultz Mengel
Chief Clerk